

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,)
09 Plaintiff,) CASE NO. CR18-254-RSL
10 v.)
11 DEVAUGHN WOODS,) ORDER DENYING REQUEST TO
12 Defendant.) MODIFY CONDITIONS OF RELEASE

)

14 Defendant is charged by Felony Information with one count of Conspiracy and one
15 count of Conspiracy to Commit Money Laundering. (Dkt. 3.) Defendant pled guilty to these
16 charges at a hearing conducted before the undersigned Magistrate Judge on October 30, 2018.
17 He was released on an Appearance Bond to be supervised Pretrial Services. (Dkt. 11.) One
18 of the conditions of release was that defendant notify his current employer of the pending
19 charges, and that his employer sign a Third Party Disclosure Form as directed by Pretrial
20 Service, verifying the notification. Defendant moves for reconsideration of this portion of
21 the appearance bond, contending that there is no significant public safety concern that warrants
22 a requirement of employer notification, and expressing his concern that his employment would

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01 be terminated if he were to fulfill this requirement. He cites the adverse impact on his family
02 if he were to lose his job. (Dkt. 16.) The government opposes the deletion of this condition
03 of release, as does Pretrial Services. (Dkt. 18.) The motion has been referred to the
04 undersigned for decision by the Honorable Robert S. Lasnik. (Dkt. 17.)

05 This Court previously found that defendant poses both a risk of danger to the community
06 and a risk of nonappearance, imposing those conditions of release necessary to reasonably
07 address those risks. (Dkt. 11.) The agreed Statement of Facts in the Plea Agreement states that
08 Defendant was a customer service representative for AT&T in Bothell Washington, responsible
09 for “unlocking” cell phones for qualified customers. Defendant, together with other AT&T
10 employees, conspired to unlock cell phones for unauthorized persons in exchange for
11 substantial cash payments from an outside source. Defendant admits to receiving at least
12 \$200,000 for his participation in the scheme. AT&T is still working to calculate its losses,
13 estimated to be tens of millions of dollars.

14 While defendant describes his current employment as a meter reader in Snohomish
15 County, contending that it does not involve the use of money or a computer, his responsibility
16 for entering meter data into a handheld device for transmittal does impact the economic interest
17 of his employer as well as the customers for whom he is recording the data. The offense
18 conduct to which defendant has admitted occurred during and in the course of his employment.
19 The Court previously found it necessary to require the notification of defendant’s employer of
20 the pending charges in order to protect the public, and Defendant has not shown otherwise.
21 Defendant’s motion to modify the conditions of release is DENIED. Defendant must notify
22 his employer of the pending charges and obtain a signed Third Party Disclosure form as

01 required in the Appearance Bond, no later than November 19, 2018.

02 DATED this 14th day of November 2018.

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05 Mary Alice Theiler
06 United States Magistrate Judge
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